



CITY COUNCIL AGENDA REPORT

MEETING DATE: MARCH 7, 2006

ITEM NUMBER: _____

SUBJECT: SP-06-01 SPECIFIC PLAN AMENDMENT FOR THE NORTH COSTA MESA SPECIFIC PLAN

DATE: MARCH 1, 2006

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: KIMBERLY BRANDT, AICP, PRINCIPAL PLANNER

FOR FURTHER INFORMATION CONTACT: KIMBERLY BRANDT (714) 754-5604

RECOMMENDATION:

Planning Commission recommends adoption of the attached resolution that amends the North Costa Mesa Specific Plan in respect to the Theater and Arts District Plan contained in Appendix E.

BACKGROUND:

The Costa Mesa Theater and Arts District Plan (TAD Plan) was adopted as part of the North Costa Mesa Specific Plan in February 2004. In preparation of the opening of the Renee and Henry Segerstrom Concert Hall in September 2006, some of the public right-of-way enhancements on Town Center Drive have been completed with the remainder to be completed prior to the Concert Hall opening. However, additional right-of-way improvements (resurfacing and landscaping) are needed on Sunflower Avenue, Anton Boulevard, Bristol Street, Park Center Drive, and Avenue of the Arts at an estimated cost of 3 million dollars. On January 3, 2006, City Council adopted a resolution requesting the Orange County Board of Supervisors and Orange County Transportation Authority to fund these street and landscape improvements.

On February 13, 2006, Planning Commission reviewed the proposed changes to the TAD Plan and recommended to Council their approval, on a 5-0 vote. The Planning Commission staff report and meeting minutes are contained in Attachment 2.

ANALYSIS:

The proposed amendment to the TAD Plan recognizes the additional improvements in the public right-of-way and formally recognizes the City of Costa Mesa, County of Orange, and Orange County Transportation Authority as public agency partners in the overall TAD area. This amendment will also allow the TAD Plan to be used as the overarching document for disbursement of the 3 million dollars.

The proposed amendments to the TAD Plan are attached as Exhibit A to the resolution contained in Attachment 1. The current TAD Plan is included in Attachment 3.

ALTERNATIVES CONSIDERED:

Council may choose to adopt or not adopt the resolution approving the specific plan amendment. If Council chooses not to approve the proposed amendment, the City, County, and OCTA's financial contributions to the TAD area would not be formally recognized

FISCAL REVIEW:

This specific plan amendment does not require any fiscal review. The actual allocation of Measure M turn back funds to the project was previously considered by City Council on January 3, 2006.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

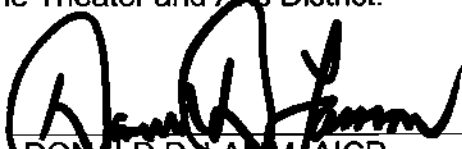
ENVIRONMENTAL DETERMINATION:

This project has found to be exempt (Class 1) with the California Environmental Quality Act.

CONCLUSION:

The proposed amendment to the TAD Plan component of the North Costa Mesa Specific Plan recognizes additional improvements in the public right-of-way and gives formal recognition to the City of Costa Mesa, County of Orange, and Orange County Transportation Authority as public partners in the Theater and Arts District.


KIMBERLY BRANDT, AICP
Principal Planner


DONALD D. LAMM, AICP
Deputy City-Mgr. – Dev. Svs. Director

DISTRIBUTION: City Manager
City Attorney
Deputy City Manager – Dev. Svs. Dir.
Public Services Director
City Clerk (2)
Staff (4)
File (2)

Mr. Paul Freeman
C. J. Segerstrom & Sons
3315 Fairview Drive
Costa Mesa, CA 92626

Mr. Kerry Madden
Orange County Performing Arts Center
600 Town Center Drive
Costa Mesa, CA 92626

Mr. Robert Maguire
Maguire Properties
333 South Grand Avenue
Los Angeles, CA 90071

ATTACHMENTS: 1 Resolution
 2 Planning Commission staff report and
 meeting minutes
 3 TAD Plan (under separate cover)

File Name: 030706SP0601	Date: 022106	Time: 4:25 p.m.
-------------------------	--------------	-----------------

ATTACHMENT 1

RESOLUTION

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING SPECIFIC PLAN AMENDMENT SP-06-01 THAT AMENDS THE COSTA MESA THEATER AND ARTS DISTRICT PLAN/NORTH COSTA MESA SPECIFIC PLAN TO IDENTIFY ADDITIONAL PUBLIC IMPROVEMENTS AND FUNDING SOURCES.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002 and the North Costa Mesa Specific Plan by Resolution No. 94-67 in July 1994; and

WHEREAS, the North Costa Mesa Specific Plan provides additional planning guidelines and standards for several large development areas located in north Costa Mesa; and

WHEREAS, Development Agreements DA-00-02, DA-00-03, and DA-00-04 required preparation of a Theater and Arts District Plan to establish standards for design of public and private improvements in the South Coast Plaza Town Center; and

WHEREAS, the City Council of the City of Costa Mesa adopted Specific Plan Amendment SP-03-01 by Resolution No. 04-12 on February 2, 2004, which amended the North Costa Mesa Specific Plan text relative to the Theater and Arts District Plan, and incorporated the Theater and Arts District Plan as Appendix E; and

WHEREAS, Specific Plan Amendment SP-06-01 amends the Theater and Arts District Plan/North Costa Mesa Specific Plan by identifying additional public improvements and funding sources; and

WHEREAS, public hearings were held by the Planning Commission on February 13, 2006, and by the City Council on March 7, 2006, in accordance with Section 65355 of the Government Code of the State of California, with all persons having been given

the opportunity to be heard both for and against said Amendment SP-06-01 to the Theater and Arts District Plan/North Costa Mesa Specific Plan; and

WHEREAS, this Council deems it to be in the best interest of the City that said Amendment to the Theater and Arts District Plan/ North Costa Mesa Specific Plan be adopted.

NOW THEREFORE BE IT RESOLVED by the Costa Mesa City Council that the North Costa Mesa Specific Plan is hereby amended by adoption of Specific Plan Amendment SP-06-01 as set forth in Exhibit A, which is attached to this resolution.

BE IT FURTHER RESOLVED that the proposed amendment has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt (Section 15302, Class 1 exemption).

PASSED AND ADOPTED this 7TH day of March, 2006.

MAYOR

ATTEST:

APPROVED AS TO FORM:

City Clerk of the
City of Costa Mesa

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF COSTA MESA)

I, Julie Folcik, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. ____ was duly and regularly passed and adopted by said City Council at a regular meeting thereof held on the ____ day of _____, 2006.

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this __ day of _____, 2006.

City Clerk and ex-officio Clerk of the City Council
of the City of Costa Mesa

EXHIBIT "A"

Amended Text; Page 5. Paragraph 4:

Public and Private partnership: In May 2000 with the announcement by Commonwealth partners, LLC and South Coast Plaza of the proposed South Coast Plaza Town Center improvements, the City of Costa Mesa took the opportunity to clarify and more formally express its identity as a "City of the Arts," a phrase incorporated in the city seal. While the three development agreements for the South Coast Plaza Town Center allow broad discretion in the approach and manner in which the district is to be developed and managed, the owners are required to create and implement a Costa Mesa Theater and Arts District Plan that will guide potential changes and improvements within South Coast Plaza Town Center. The financial responsibility for the implementation of elements submitted in the Costa Mesa Theater and Arts District Plan includes both private and public entities.

Amended Text; Page 13. Paragraph 1:

Landscaping and Street Rehabilitation Improvements

In order to create an attractive and consistent landscaping element adjacent to the public right-of-way, new landscaping will be designed and installed along Bristol Street south of Anton Boulevard, the south side of Anton Boulevard and Avenue of the Arts south of Anton Boulevard. Such landscaping shall observe the provisions of the City of Costa Mesa Streetscape and Median Design guidelines with the provision that the Costa Mesa Parks and Recreation Commission may make an exception to those guidelines when a superior landscaping alternative is presented for review. The landscaping will be installed as part of the approved master plan improvements for the area.

In the vicinity of the new concert hall, additional street and landscape rehabilitation improvements will occur on Sunflower Avenue (between Bear Street and Avenue of the Arts), Bristol Street (north of Anton Boulevard to Sunflower Avenue), Park Center Drive (between Town Center Drive and Sunflower Avenue), Avenue of the Arts (between its off-ramp terminus and Sunflower Avenue), and Anton Boulevard (between Bristol Street and Avenue of the Arts).

BUDGET AND FUNDING SOURCES:

Funding for the Costa Mesa Theater and Arts District Plan is provided by the entities that entered into development agreements with the City. Each development entity will pay for the improvements associated with its property or adjacent public rights-of-way in accordance with the terms and conditions of the respective development agreements. Private improvements not specifically identified within the development agreements will be funded separately from the Plan. The property owners shall have the right to assess themselves appropriately to fund required maintenance for those improvements in the public right-of-way identified in the Theater and Arts District Plan. Maintenance requirements are to be the subject of separate maintenance agreements between the landowners and the City of Costa Mesa.

Within 90 days of each development entity's fiscal year end, each entity will provide to the City an accounting of Plan expenditures for the fiscal year and the total expenditures to date. Once Plan improvements have been completed, each entity will provide to the City a final accounting.

Private Resources Available to Support Costa Mesa

Theater & Arts District Plan:

From South Coast Plaza:	\$ 1,000,000
From <u>Maguire Properties</u> :	\$ 1,200,000
TOTAL	\$ 2,200,000

Public Resources Previously Committed and/or Available to Support Costa Mesa Theater & Arts District Plan:

From City of Costa Mesa:

<u>Fee waivers (SCR expansion and new Concert Hall):</u>	<u>\$ 711,398</u>
<u>Town Center Drive vacation</u>	<u>\$1,100,000</u>
<u>Freeway access points improvements:</u>	<u>\$15,000,000</u>
<u>Dedication of land for freeway access:</u>	<u>\$5,000,000</u>
<u>For street and landscape improvements in the public right-of-way:</u>	<u>\$1,000,000</u>

From County of Orange/Orange County Transportation Authority:

<u>Street and landscape improvements in the public right-of-way:</u>	<u>\$ 2,000,000</u>
TOTAL	\$24,811,398

Improvements in Public Right-Of-Way:

Item Est. Cost Proposed Implementation Schedule

Banners Initial installation of hardware and banners.	\$20,000	Before certificate of occupancy for first major hotel or office tower construction project, or passage of 30 months from date of adoption of TAD Plan, whichever is earlier.
Banner Replacement Over the 20-year life of the development agreements.	\$80,000	
Street Signage	\$30,000	Before certificate of occupancy for first major hotel or office tower construction project, or passage of 30 months from date of adoption of TAD Plan, whichever is earlier.
Bus Shelters	\$200,000	Phased in conjunction with adjacent development
Shelter 1 (Sunflower)		Before certificate of occupancy for new office tower at Sunflower and Bristol
Shelter 2 (Bristol St.)		Before certificate of occupancy for new hotel
Shelter 3 (Anton Blvd. North side)		Before certificate of occupancy for new office tower at south end of Park Center Dr.
Shelter 4 (Anton Blvd. South side)		Before certificate of occupancy for new office tower at south end of Park Center Dr.
Crosswalk 1 (Bristol/Anton)	\$30,000	Before certificate of occupancy for new office tower at south end of Park Center Dr.
Crosswalk 2 (Park Center & Anton)	\$30,000	Before certificate of occupancy for new office tower at south end of Park Center Dr.
Crosswalk 3 (Ave./Arts & Anton)	\$30,000	Before certificate of occupancy for new office tower at south end of Park Center Dr.
Crosswalk 4 (mid-blk Anton)	\$80,000	Before certificate of occupancy for new office tower at south end of Park Center Subject to City approval if technical warrants can be demonstrated
Crosswalk 5 (mid-blk Park Ctr.)	\$50,000	Before certificate of occupancy for new office building at south end of Park Ctr. Dr.
Crosswalk 6 (mid-blk Town Ctr. Dr.)	\$80,000	Before Certificate of occupancy for new hotel
<u>Landscaping and Street Rehabilitation</u>	<u>\$3,000.00</u> <u>0</u> <u>(public</u> <u>funds)</u>	<u>In conjunction with the completion of the</u> <u>new concert hall.</u>

ATTACHMENT 2

PLANNING COMMISSION STAFF REPORT AND MEETING MINUTES

Excerpt from the minutes of the Planning Commission meeting of February 13, 2006

NORTH COSTA MESA
SPECIFIC PLAN
AMENDMENT
SP-06-01

City

The Chair opened the public hearing for consideration of a North Costa Mesa Specific Plan Amendment SP-06-01 amending Appendix E of the Theater and Arts District Plan that identifies additional public improvements in the public right-of-way and funding sources. Environmental determination: exempt.

Principal Planner Kimberly Brandt reviewed the information in the staff report and made a presentation. She pointed out the changes referencing pages 7, 8, and 9 and corrected an error in the total committed amount to the Theatre and Arts District in terms of public funding (page 8). She said staff was recommending Planning Commission recommend by minute order to City Council, adoption of the resolution.

The Chair requested that Ms. Brandt explain the term, "recommend by minute order." Ms. Brandt stated that because this is a specific plan amendment, it will require a final action by the City Council, so the action by Planning Commission this evening is a recommendation to City Council. It is not necessary for the Planning Commission to adopt a resolution in order to make that recommendation to City Council, so by a verbal motion, or by minute order, the Commission can forward their recommendation to City Council. If Commission does make that recommendation, it will go forward to the City Council meeting on March 7th.

No one else wished to speak and the Chair closed the public hearing.

MOTION:

SP-06-01

Recommended to City Council

A motion was made by Commissioner Egan, seconded by Commissioner Garlich and carried 5-0 to recommend by minute order to City Council, adoption of the resolution.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 13, 2006

III.2.

ITEM NUMBER:

SUBJECT: SP-06-01 SPECIFIC PLAN AMENDMENT FOR THE NORTH COSTA MESA SPECIFIC PLAN

DATE: FEBRUARY 2, 2006

FOR FURTHER INFORMATION CONTACT: KIMBERLY BRANDT, AICP, PRINCIPAL PLANNER
(714) 754-5604

DESCRIPTION

SP-06-01 amends the North Costa Mesa Specific Plan in respect to the Theater and Arts District Plan contained in Appendix E. The amendment identifies additional public improvements in the public right-of-way and funding sources.

RECOMMENDATION

Recommend by minute order to City Council adoption of the attached resolution.


KIMBERLY BRANDT, AICP
Principal Planner


R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND

The Costa Mesa Theater and Arts District Plan (TAD Plan) was adopted as part of the North Costa Mesa Specific Plan in February 2004. In preparation of the opening of the Renee and Henry Segerstrom Concert Hall in September 2006, some of the public right-of-way enhancements on Town Center Drive have been completed with the remainder to be completed prior to the Concert Hall opening. However, additional right-of-way improvements (resurfacing and landscaping) are needed on Sunflower Avenue, Anton Boulevard, Bristol Street, Park Center Drive, and Avenue of the Arts at an estimated cost of 3 million dollars. On January 3, 2006, City Council adopted a resolution requesting the Orange County Board of Supervisors and Orange County Transportation Authority to fund these street and landscape improvements.

ANALYSIS

The proposed amendment to the TAD Plan recognizes the additional improvements in the public right-of-way and formally recognizes the City of Costa Mesa, County of Orange, and Orange County Transportation Authority as public agency partners in the overall TAD area. This amendment will also allow the TAD Plan to be used as the overarching document for disbursement of the 3 million dollars.

The proposed amendments to the TAD Plan are attached as Exhibit A to the draft resolution.

ALTERNATIVES

Planning Commission may recommend to Council adoption of the proposed specific plan amendment, or recommend that the amendment not be adopted. If ultimately Council does not approve the proposed amendment, the City, County and OCTA's financial contributions to the TAD area would not be formally recognized.

ENVIRONMENTAL DETERMINATION

This project has found to be exempt (Class 1) with the California Environmental Quality Act.

CONCLUSION

The proposed amendment to the TAD Plan component of the North Costa Mesa Specific Plan recognizes additional improvements in the public right-of-way and gives formal recognition to the City of Costa Mesa, County of Orange, and Orange County Transportation Authority as public partners in the Theater and Arts District.

Attachments: ~~Draft City Council Resolution~~

Distribution: Deputy City Manager - Dev. Svs. Director
Assistant City Attorney
Assistant City Engineer
Staff (4)
File (2)

Mr. Paul Freeman
C. J. Segerstrom & Sons
3315 Fairview Drive
Costa Mesa, CA 92626

Mr. Kerry Madden
Orange County Performing Arts Center
600 Town Center Drive
Costa Mesa, CA 92626

Mr. Robert Maguire
Maguire Properties
333 South Grand Avenue
Suite 400
Los Angeles, CA 90071

File: 021306SP0601	Date: 012706	Time: 3:00pm
--------------------	--------------	--------------

ATTACHMENT 3

TAD PLAN (Under separate cover)



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS
REPORT, PLEASE CONTACT THE CITY CLERK'S
OFFICE AT (714) 754-5121**